



PTO/SB/21 (07-06)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/733,928

Filing Date

December 10, 2003

First Named Inventor

Yamamoto, Tomoo

Art Unit

1773

Examiner Name

Holly C. Rickman

Attorney Docket Number

16869G-100000US

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/ Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Return Postcard

Communication Regarding Delay in Mailing of Notice of Allowance

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Chun-Pok Leung

Date

September 7, 2006

Reg. No.

41,405

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Mail Stop AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Joy Salvador

Date

September 7, 2006



AF\$

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

16869G-100000US

TRU

In re Application of: **Tomoo YAMAMOTO et al.**Application Number: **10/733,928**Filed: **December 10, 2003**For: **MAGNETIC RECORDING MEDIUM**Art Unit: **1773**Examiner: **Holly C. Rickman**Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ **500.00**

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **20-1430**. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- ☐ attorney or agent of record.
Registration number _____
- ☒ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. **41,405**

Signature

Chun-Pok Leung

Typed or printed name

650-326-2400

Telephone number

September 7, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of **2** forms are submitted.

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PATENT
Attorney Docket No.: 16869G-100000US
Client Ref. No.: 340300325US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tomoo YAMAMOTO *et al.*

Application No.: 10/733,928

Filed: December 10, 2003

For: MAGNETIC RECORDING
MEDIUM

Customer No.: 20350

Confirmation No.: 8608

Examiner: Holly C. Rickman

Technology Center/Art Unit: 1773

**COMMUNICATION REGARDING
DELAY IN MAILING OF NOTICE OF
ALLOWANCE**

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The above-referenced application has been allowed, but the notice of allowance has not been mailed. The six-month statutory period ends on September 7, 2006. To avoid possible abandonment of the application, Applicants submit herewith a Notice of Appeal. Because the Amendment After Final was filed on May 1, 2006, within two months of the mailing date of the Final Office Action of March 7, 2006, no extension fee is believed to be due. However, please charge any fees or credit overpayment to the undersigned's Deposit Account No. 20-1430.

Appl. No. 10/733,928
Amdt. dated September 6, 2006
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 1773

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Chun-Pok Leung
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
RL:rl
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